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## **MINUTES OF COUNCIL STUDY MEETING – FEBRUARY 19, 2008**

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THE WEST VALLEY CITY COUNCIL MET IN STUDY SESSION ON TUESDAY, FEBRUARY 19, 2008, AT 4:30 P.M., IN THE MULTI-PURPOSE ROOM, WEST VALLEY CITY HALL, 3600 CONSTITUTION BOULEVARD, WEST VALLEY CITY, UTAH. THE MEETING WAS CALLED TO ORDER BY MAYOR NORDFELT.

### **THE FOLLOWING MEMBERS WERE PRESENT:**

Dennis J. Nordfelt  
Carolynn Burt  
Joel Coleman (Arrived as noted)  
Corey Rushton  
Steve Vincent  
Mike Winder (Arrived as noted)

Paul Isaac, Acting City Manager  
Sheri McKendrick, City Recorder

### **ABSENT:**

Russ Brooks (Excused)

### **STAFF PRESENT:**

Kevin Astill, Parks and Recreation Director  
John Evans, Fire Chief  
Richard Catten, City Attorney  
Layne Morris, Community Preservation Director  
Buzz Nielsen, Police Chief  
Phil Markham, Acting Public Works Director  
Steve Lehman, Acting CED Director  
Don Groo, Acting Finance Director  
Nicole Cottle, Law Department  
Steve Pastorik, CED Department  
Aaron Crim, Administration  
Jake Arslanian, Public Works Department

- 1. APPROVAL OF MINUTES OF STUDY MEETING HELD FEBRUARY 5, 2008**  
The Council read and considered the Minutes of the Study Meeting held February 5, 2008. There were no changes, corrections or deletions.

After discussion, Councilmember Burt moved to approve the Minutes of the Study Meeting held February 5, 2008, as written. Councilmember Vincent seconded the motion.

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A roll call vote was taken:

Mr. Vincent	Yes
Ms. Burt	Yes
Mr. Rushton	Yes
Mayor Nordfelt	Yes

Unanimous.

Councilmember Winder arrived at the meeting at 4:33 P.M.

### **2. LEGISLATIVE UPDATE**

Nicole Cottle, Law Department, distributed written information including a “tracking list” and discussed certain bills of interest to West Valley City. The information included forms of government, ambulances, forfeiture of water rights, retirement benefits, justice courts, and other topics of interest. Ms. Cottle answered questions from members of the City Council.

### **3. COMMUNITY EDUCATION PARTNERSHIP (CEP) PROGRESS REPORT**

Acting City Manager, Paul Isaac, introduced Mike Skousen, Community Education Partnership (CEP) Chairman.

Mr. Skousen stated it was CEP’s pleasure to provide a progress report to West Valley City and he introduced members of the CEP executive committee in attendance at the meeting.

Margaret Peterson, CEP Executive Director, stated she appreciated the opportunity to present their annual report. Ms. Peterson utilized PowerPoint and discussed information summarized as follows:

- Mission Statement
- After-school programs funded by CEP at Monroe and Jackling Elementary Schools, and the Family Fitness Center
- Mini grant program funded by corporate donations and grants - West Valley Community Center, Project 180, Family Fitness Center, Monticello Charter School, Granger High Lancer Action Team, Hunter Jr. High, Elementary Schools (Granger, Orchard, Pioneer, and Academy Park)
- Sustainability Plan
- Financial Records
- Maintain Non-Profit Corporation Requirements
- Board of Directors

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- Corporate Sponsors
- Community Involvement
- Goals for 2008-2009

During the above discussion, Ms. Peterson distributed written materials to the City Council and answered questions.

Mayor Nordfelt expressed appreciation to Ms. Peterson and members of the CEP for providing important information to the West Valley City Council.

**4. REVIEW AGENDA FOR REGULAR MEETING SCHEDULED FEBRUARY 19, 2008**

Mayor Nordfelt stated no new items had been added to the Agenda for the Regular Council Meeting scheduled February 19, 2008, at 6:30 P.M. Upon inquiry, there were no questions regarding any of the items scheduled on that Agenda.

**5. AWARDS, CEREMONIES AND PROCLAMATIONS SCHEDULED FEBRUARY 26, 2008:**

**A. EMPLOYEES OF THE MONTH, FEBRUARY 2008 - AMANDA CLARK AND JENNIFER WILLIAMS, POLICE DEPARTMENT**

Acting City Manager, Paul Isaac, stated Councilmember Winder would read the nomination of Amanda Clark and Jennifer Williams, Police Department, to be recognized as the Employees of the Month for February 2008, at the Regular Council Meeting scheduled February 26, 2008, at 6:30 P.M.

**B. UTAH FORESTRY COUNCIL AWARD PRESENTATION – DARIN NERDIN, PARKS AND RECREATION DEPARTMENT, FORESTER OF THE YEAR FOR THE STATE OF UTAH**

Acting City Manager, Paul Isaac, stated a representative of the Utah Forestry Council would present the Forester of the Year for the State of Utah award to Darin Nerdin, West Valley City Parks and Recreation Department, at the Regular Council Meeting scheduled February 26, 2008, at 6:30 P.M.

**6. PUBLIC HEARINGS SCHEDULED FEBRUARY 26, 2008:**

**A. PUBLIC HEARING, APPLICATION NO. M-3-2008, FILED BY WEST VALLEY CITY, PARK IMPACT FEE STUDY UPDATE AND AMENDMENT**

Acting City Manager, Paul Isaac, stated a public hearing had been advertised for the Regular Council Meeting scheduled February 26, 2008, at 6:30 P.M., in order for the City Council to hear and consider public comments regarding Application No. M-3-2008, filed by West Valley City, requesting consideration of a park impact fee study update and amendment. He discussed proposed Resolution No.

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08-78, and proposed Ordinance No. 08-12 related to the Application to be considered by the City Council subsequent to the public hearing, as follows:

### **RESOLUTION NO. 08-78, ADOPTING AN UPDATE AND AMENDMENT TO THE WEST VALLEY CITY PARK IMPACT FEE STUDY**

Acting City Manager, Paul Isaac, discussed proposed Resolution No. 08-78 which would adopt an update and amendment to the West Valley City Park Impact Fee Study.

Mr. Isaac stated that on June 19, 1997, the Council adopted an Impact Fee Capital Facilities Plan, which revised park impact fees to comply with the then new State impact fee legislation. He further stated the Impact Fee Capital Facilities Plan had been performed by the consulting firm of James Duncan and Associates. In the plan, the consultants calculated the park impact fees by: 1) Determining the total value of all parks in West Valley City; 2) Dividing the total value of parks by the latest population estimate (which resulted in the park cost per person); 3) Subtracting revenue credits from the park cost per person to account for future, non-impact fee revenue sources such as Community Development Block Grant (CDBG) funds; and 4) Multiplying the net park cost per person by the average household size of each housing type (i.e., single-family, duplex, multi-family, and mobile home).

Mr. Isaac advised that in 2002 and 2005, the Impact Fee Capital Facilities Plan had been updated. Since 2005, many of the quantities used to calculate the park impact fees had changed, thus, the Impact Fee Capital Facilities Plan needed to be updated again. He advised items requiring updating in the plan included: the value of park land, park development costs, CDBG and other federal funding for parks and trails, population estimates and projections, and Fitness Center debt service. He stated also included in the update were planned park improvements until the year 2012.

The Acting City Manager reported updating the quantities listed above resulted in an increase in the amount the City could charge for impact fees. He discussed a list of proposed increases summarized as follows:

<u>Housing Type</u>	<u>Current Impact Fees</u>	<u>Proposed Impact Fees</u>	<u>Resulting Increase</u>
Single Family	\$ 1,381	\$ 2,032	\$ 651
Duplex	971	1,429	458
Multi-family	937	1,379	442
Mobile home	888	1,306	418

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### **ORDINANCE NO. 08-12, AMENDING SECTION 1-2-203 OF THE WEST VALLEY CITY MUNICIPAL CODE TO UPDATE PARK IMPACT FEES**

Acting City Manager, Paul Isaac, discussed proposed Ordinance No. 08-12 which would amend Section 1-2-203 of the West Valley City Municipal Code to update park impact fees.

Mr. Isaac stated the parks section of the Impact Fee Capital Facilities Plan had recently been updated. He indicated the update resulted in an increase in the amount the City could charge for park impact fees. He stated staff proposed the City charge the dollar amounts derived from the updated plan.

The Acting City Manager reported items updated in the plan included: the value of park land, park development costs, CDBG and other federal funding for parks and trails, population estimates and projections, and Fitness Center debt service. He advised that also included in the update were planned park improvements until the year 2012.

The Acting City Manager discussed a list of the current park impact fees, the proposed park impact fees and the resulting increase, summarized as follows:

<u>Housing Type</u>	<u>Current Impact Fees</u>	<u>Proposed Impact Fees</u>	<u>Resulting Increase</u>
Single Family	\$ 1,381	\$ 2,032	\$ 651
Duplex	971	1,429	458
Multi-family	937	1,379	442
Mobile home	888	1,306	418

Steve Pastorik, CED Department, further reviewed the proposal and answered questions from members of the City Council.

Acting City Manager, Paul Isaac, informed there was currently a bill at the Legislature regarding impact fees. Steve Pastorik, CED Department, discussed some of the issues in that bill including noticing requirements and a 90 day grace period for implementation. Mr. Pastorik informed that Nicole Cottle, Law Department, suggested the City Council make that fact part of a motion when considering action regarding this proposal. Mr. Pastorik clarified the motion could contain that the proposed ordinance would become effective 90 days after adoption.

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The City Council will hold a public hearing regarding Application No. M-3-2008 and consider proposed Resolution No. 08-78 and proposed Ordinance No. 08-12 at the Regular Council Meeting scheduled February 26, 2008, at 6:30 P.M.

**7. COMMUNICATIONS:**

**A. RECOGNITION OF SALT LAKE COUNTY COUNCILMEMBER DAVID WILDE**

Mayor Nordfelt recognized Salt Lake County Councilmember David Wilde in attendance at the meeting.

Councilmember Coleman arrived at the meeting at 5:10 P.M.

Salt Lake County Councilmember David Wilde discussed the Sandy Real Soccer Stadium project and their expectation the County would approve funding through a Community Development Area (CDA). Mr. Wilde also discussed background regarding the issue including legislative matters regarding this subject. He stated he desired to advise the Council regarding his position about this matter.

Mr. Wilde indicated another issue was regarding Valley Emergency Communication Center (VECC) and the United Fire Authority's (UFA) notice of intent to end membership in the VECC. He stated the UFA had temporarily withdrawn the notice of intent. He advised this issue would be discussed at an upcoming County Council meeting. He expressed hope that the VECC Executive Director would attend the County Council meeting and discuss the position of VECC.

Mr. Wilde answered questions from members of the City Council. He encouraged Council members to feel free to contact him in the future.

**8. PUBLIC HEARINGS SCHEDULED FOR FEBRUARY 26, 2008 – CONTINUED:**

**B. PUBLIC HEARING, APPLICATION NO. GPZ-5-2007, FILED BY RANDY AND MICHELLE TOUSLEY, REQUESTING TO AMEND THE GENERAL PLAN FROM LOW DENSITY RESIDENTIAL TO HIGH DENSITY RESIDENTIAL; AND TO AMEND THE ZONING MAP FROM ZONE 'R-1-8' (RESIDENTIAL, SINGLE-FAMILY, MINIMUM LOT SIZE 8,000 SQ. FT.) TO 'RM' (RESIDENTIAL, MULTI-FAMILY) ZONE FOR PROPERTY LOCATED AT APPROXIMATELY 3244 SOUTH 3600 WEST**  
Acting City Manager, Paul Isaac, stated a public hearing had been advertised for the Regular Council Meeting scheduled February 26, 2008 at 6:30 P.M., in order for the City Council to hear and consider public comments regarding Application No. GPZ-5-2007, filed by Randy and Michelle Tousley, requesting to amend the General Plan from Low Density Residential to High Density Residential; and to

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amend the Zoning Map from zone 'R-1-8' (Residential, Single-Family, Minimum Lot Size 8,000 sq. ft.) to 'RM' (Residential, Multi-Family) zone for property located at approximately 3244 South 3600 West. He discussed proposed Ordinance Nos. 08-13 and 08-14 and proposed Resolution No. 08-79 related to the Application to be considered by the City Council subsequent to the public hearing, as follows:

### **ORDINANCE NO. 08-13, AMENDING THE GENERAL PLAN TO SHOW CHANGE OF LAND USE FROM LOW DENSITY RESIDENTIAL TO HIGH DENSITY RESIDENTIAL FOR PROPERTY LOCATED AT APPROXIMATELY 3244 SOUTH 3600 WEST**

Acting City Manager, Paul Isaac, discussed proposed Ordinance No. 08-13 which would amend the General Plan to show a change of land use from Low Density Residential to High Density Residential for property located at approximately 3244 South 3600 West.

Mr. Isaac stated the applicants had submitted application for four parcels totaling 1.14 acres. He also stated all four parcels were zoned 'R-1-8' (Single-Family Residential, Minimum Lot Size 8,000 sq. ft.) and classified as Low Density Residential (three to four units per acre) in the General Plan. He indicated the applicants requested 'RM' zoning with a General Plan land use designation of High Density Residential (10 to 20 units per acre). He stated surrounding zones included 'R-1-8' to the north, south, and west, and 'R-1-6' to the east; and the subject four parcels were surrounded by single-family homes.

The Acting City Manager reported the three eastern most parcels included two four-plexes (built in 1962), and a five-plex (built in 1939). Photographs of these existing buildings had been included in the written information provided to members of the Council. Mr. Isaac stated this area of the City had not been zoned prior to 1965; hence, no zoning restrictions had been in place prohibiting construction of these apartment buildings. He advised the western-most parcel included some parking but was mostly vacant.

Mr. Isaac advised an outline of the applicants' request had been provided to the City Council, including a conceptual plan showing the existing apartment buildings and the proposed new six unit townhome building. He stated, as the applicants indicated in the outline, the re-zone would allow construction of the new six unit townhome building which would help finance the improvements envisioned for the existing apartment buildings.

The Acting City Manager reported approximately .7 acres of the overall 1.14 acres was currently developed. With 13 units existing, the current density (not

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including the undeveloped portion of the property) was about 18.6 units per acre. The density as proposed on the concept plan was 16.7 units per acre.

Acting City Manager, Paul Isaac, stated four letters in support of the proposal had been received from residents of the surrounding area and had been copied to the City Council.

### **ORDINANCE NO. 08-14, AMENDING THE ZONING MAP TO SHOW A CHANGE OF ZONE FOR PROPERTY LOCATED AT APPROXIMATELY 3244 SOUTH 360 WEST FROM ZONE ‘R-1-8’ (RESIDENTIAL, SINGLE-FAMILY, MINIMUM LOT SIZE 8,000 SQ. FT.) TO ZONE ‘RM’ (RESIDENTIAL, MULTI-FAMILY)**

Acting City Manager, Paul Isaac, discussed proposed Ordinance No. 08-14 which would amend the Zoning Map to show a change of zone for property located at approximately 3244 South 360 West from zone ‘R-1-8’ (Residential, Single-Family, Minimum Lot Size 8,000 sq. ft.) to zone ‘RM’ (Residential, Multi-Family).

Mr. Isaac stated the applicants had submitted application for four parcels totaling 1.14 acres. He also stated all four parcels were zoned ‘R-1-8’ (Single-Family Residential, Minimum Lot Size 8,000 sq. ft.) and classified as Low Density Residential (three to four units per acre) in the General Plan. He indicated the applicants requested ‘RM’ zoning with a General Plan land use designation of High Density Residential (10 to 20 units per acre). He stated surrounding zones included ‘R-1-8’ to the north, south, and west, and ‘R-1-6’ to the east; and the subject four parcels were surrounded by single-family homes.

The Acting City Manager reported the three eastern most parcels included two four-plexes (built in 1962) and a five-plex (built in 1939). Photographs of these existing buildings had been included in the written information provided to members of the Council. Mr. Isaac stated this area of the City had not been zoned prior to 1965; hence, no zoning restrictions had been in place prohibiting construction of these apartment buildings. He advised the western most-parcel included some parking but was mostly vacant.

Mr. Isaac advised an outline of the applicants’ request had been provided to the City Council, including a conceptual plan showing the existing apartment buildings and the proposed new six unit townhome building. He stated, as the applicants indicated in the outline, the re-zone would allow construction of the new six unit townhome building which would help finance the improvements envisioned for the existing apartment buildings.

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The Acting City Manager reported approximately .7 acres of the overall 1.14 acres was currently developed. With 13 units existing, the current density (not including the undeveloped portion of the property) was about 18.6 units per acre. The density as proposed on the concept plan was 16.7 units per acre.

Acting City Manager, Paul Isaac, stated four letters in support of the proposal had been received from residents of the surrounding area and had been copied to the City Council.

### **RESOLUTION NO. 08-79, AUTHORIZING THE CITY TO ENTER INTO A DEVELOPMENT AGREEMENT WITH RANDY AND MICHELLE TOUSLEY FOR APPROXIMATELY 1.14 ACRES OF REAL PROPERTY BEING DEVELOPED IN THE VICINITY OF 3244 SOUTH 3600 WEST**

Acting City Manager, Paul Isaac, discussed proposed Resolution No. 08-79 which would authorize the City to enter into a Development Agreement with Randy and Michelle Tousley for approximately 1.14 acres of real property being developed in the vicinity of 3244 South 3600 West.

Mr. Isaac stated the applicants had requested to change 1.14 acres of property from low density residential to high density residential and from zone 'R-1-8' to 'RM.' Staff recommended a development agreement be approved in conjunction with the re-zone to ensure the applicants' commitments would be met.

The Acting City Manager reported the proposed agreement contained standards addressing improvements to the existing buildings, lighting, parking, landscaping, open space and the proposed new six unit townhome building.

Steve Pastorik, CED Department, further reviewed the Application, displayed the plat map and discussed terms of the proposed Development Agreement. Mr. Pastorik also answered questions from members of the City Council.

Acting City Manager, Paul Isaac, distributed photocopies of two letters received by the City Recorder regarding the proposal.

The City Council will hold a public hearing regarding Application No. GPZ-5-2007 and consider proposed Ordinance Nos. 08-13 and 08-14 and proposed Resolution No. 08-79 at the Regular Council Meeting scheduled February 26, 2008, at 6:30 P.M.

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9. **RESOLUTION NO. 08-80, APPROVE AGREEMENT WITH MAJESTIC VILLAS, LLC, FOR ON-GOING MAINTENANCE OF A PORTION OF THE HUNTER VILLAGE AND SUGARPLUM TRAIL SYSTEM WHICH PASSES THROUGH MAJESTIC VILLAS PUD LOCATED AT APPROXIMATELY 3100 SOUTH 7200 WEST**

Acting City Manager, Paul Isaac, discussed proposed Resolution No. 08-80 which would approve an Agreement with Majestic Villas, LLC for on-going maintenance of a portion of the Hunter Village and Sugarplum Trail System which passed through Majestic Villas PUD at approximately 3100 South 7200 West.

Mr. Isaac stated Majestic Villas was an 81 unit PUD being constructed at the above location and desired to complete the last parts of the trail system running through Hunter Village and Sugarplum Subdivisions. He stated an easement would be given to the City for the trail across the property and a commitment to perform on-going landscape maintenance. He stated the developers/PUD would take on the maintenance duties and associated costs.

The Acting City Manager indicated the subject agreement set out maintenance standards and allowed for remediation if the standards were not followed.

Kevin Astill, Parks and Recreation Director, further reviewed the proposed Resolution including terms of the subject agreement, and answered questions from members of the City Council.

The City Council will consider proposed Resolution No. 08-80 at the Regular Council Meeting scheduled February 26, 2008, at 6:30 P.M.

10. **CONSENT AGENDA SCHEDULED FEBRUARY 26, 2008:**

A. **RESOLUTION 08-81, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM SOKHANY NHEM AND SOKHEN CHAO FOR PROPERTY LOCATED AT 3589 WEST 3965 SOUTH, 3600 WEST RECONSTRUCTION PHASE 2 PROJECT**

Acting City Manager, Paul Isaac, discussed proposed Resolution No. 08-81 which would accept a Grant of Temporary Construction Easement from Sokhany Nhem and Sokhen Chao for property located at 3589 West 3965 South regarding the 3600 West Reconstruction Phase 2 Project.

Mr. Isaac stated Sokhany Nhem and Sokhen Chao had signed the Grant of Temporary Easement.

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The Acting City Manager reported the subject parcel was one of the properties affected by construction of 3600 West from 3500 South to 4100 South. He also reported the grantors previously signed an easement which terminated December 31, 2007, for which they had been compensated \$200.00. He stated as the project had been delayed until the 2008 construction season, a new easement had been required, which easement would automatically expire December 31, 2008.

**B. RESOLUTION NO. 08-82, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM LOLAN MERLIN MORRILL AND LOIS E. MORRILL FOR PROPERTY LOCATED AT 3936 SOUTH 3600 WEST, 3600 WEST RECONSTRUCTION PHASE 2 PROJECT**

Acting City Manager, Paul Isaac, discussed proposed Resolution No. 08-82 which would accept a Grant of Temporary Construction Easement from Lolan Merlin Morrill and Lois E. Morrill for property located at 3936 South 3600 West regarding the 3600 West Reconstruction Phase 2 Project.

Mr. Isaac stated Lolan Merlin Morrill and Lois E. Morrill had signed the Grant of Temporary Easement.

The Acting City Manager reported the subject parcel was one of the properties affected by construction of 3600 West from 3500 South to 4100 South. He also reported the grantors previously signed an easement which terminated December 31, 2007, for which they had been compensated \$200.00. He stated as the project had been delayed until the 2008 construction season, a new easement had been required, which easement would automatically expire December 31, 2008.

**C. RESOLUTION NO. 08-83, ACCEPT A STORM DRAIN EASEMENT FROM E LODGING, LLC, FOR PROPERTY LOCATED AT 3038 S. DECKER LAKE DRIVE (LOT 1 OF THE PROPOSED E-CENTER RETAIL SUBDIVISION)**

Acting City Manager, Paul Isaac, discussed proposed Resolution No. 08-83 which would accept a Storm Drain Easement from E Lodging, LLC, for property located at 3038 S. Decker Lake Drive (Lot 1 of the proposed E-Center Retail Subdivision).

Mr. Isaac stated E Lodging, LLC, owner of the proposed Holiday Inn Express & Staybridge Suites, had executed an easement for a public storm drain across the southerly portion of their site.

The Acting City Manager reported an existing City storm drain discharged onto the proposed site and would be piped to connect to an existing storm drainage ditch to be piped by the developers of the E-Center Retail Subdivision. He also

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reported a Storm Drain Easement in favor of West Valley City had been required as a condition of approval for a building permit.

The City Council will consider proposed Resolution Nos. 08-81 thru 08-83 at the Regular Council Meeting scheduled February 26, 2008, at 6:30 P.M.

### **11. COMMUNICATIONS:**

#### **A. SAMOAN HERITAGE FESTIVAL DISCUSSION**

Mayor Nordfelt stated that during the public comment period at the Council's Regular Meeting the previous week there had been a request for change of policy for use of Centennial Park for the Samoan Heritage Festival to be held in July 2008. The Mayor advised that Councilmembers had expressed a desire for an opportunity to discuss this issue further.

Acting City Manager, Paul Isaac, stated the Samoan Heritage Festival board had requested the Council approve additional time for use of the park. Upon inquiry from members of the City Council, Parks and Recreation Director, Kevin Astill reviewed requirements of the City's current policy. Mr. Isaac advised the issue before the Council would be to clarify and/or change the policy for this particular event as well as other events in the future.

Mayor Nordfelt advised that representatives of the Samoan Heritage Festival Board were in attendance to answer questions.

Upon request of Mayor Nordfelt regarding why the existing policy had been established, Parks and Recreation Director, Kevin Astill, summarized the existing policy. Mr. Astill discussed the demand for use of the parks for events particularly during certain times of the year, maintenance issues after such events, impacts of events based on the number of days, number of people and impact on other activities going on in the park at the same time. He advised the standard had been set at four days because the park lawn, facilities and staff could handle that many days. Mayor Nordfelt noted the City's policy appeared to compare favorably with neighboring cities.

Councilmember Vincent advised that cities such as Provo City had been reviewed when West Valley City's policy had been established.

Parks and Recreation Director, Kevin Astill, answered questions from members of the City Council regarding how fees were determined, if the fees were revenue neutral, number of requests per year for exceptions to the policy, and other activities in the park that conflicted with scheduled events.

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Councilmember Vincent stated WestFest met the one day before and one day after set up and tear down requirement last year, however, it had been difficult. He indicated the carnival had been the exception by one day.

The Parks and Recreation Director discussed how the Samoan event had been handled last year and explained the difficulty in maintaining and watering the park during the set up and event period.

Councilmember Vincent suggested perhaps fees should be increased to cover man hours and equipment to assist in bringing the park and grass back to a useable condition after an event. Councilmember Coleman suggested the extra water required for the grass to recover could also be quantified. He also stated the subject events impacted the cost to the community to maintain the park up to the level of expectations by the citizenry.

Councilmember Rushton inquired if the current policy was conducive or restrictive to attracting tournaments or other events. Parks and Recreation Director, Kevin Astill, stated the policy did not impact sporting events as the play was monitored.

Councilmember Vincent stated the three extended events included WestFest, the Samoan Heritage Festival, and the Cinco de Mayo celebration.

Councilmember Burt suggested there was an impact to the community at large if the parks were being used for events so that families were unable to use the parks also. She expressed her opinion that no group should be able to use the park for two full Saturdays. Councilmember Winder indicated the number of people using the park at a large event would be greater than those individuals visiting the park with their families. Councilmember Burt recommended such events be held at the Utah Cultural Celebration Center (UCCC) festival grounds rather than the parks.

Ms. Edwinna Kaio, of the Samoan Heritage Festival Board, was recognized and discussed the days of the week the Samoan organization desired to hold the festival. Ms. Kaio discussed some of the problems experienced last year regarding electricity, Health Department issues, setting up tents and public safety. She requested they be allowed to have Diamond Rental set up tents on Saturday and staff could continue to water the park on Saturday and Sunday. She stated then on Monday festival participants could set up their booths. She advised Saturday was the lightest attendance with no main events so the tents and other equipment could be taken down later in the day. She answered questions from members of the City Council.

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Ms. Kaio continued explaining their event attracted thousands of people and they really liked it when there were tournaments and other activities at the same time as the Polynesian culture was visible.

Acting City Manager, Paul Isaac, discussed various security issues.

Mayor Nordfelt indicated there could be problems trying to water the grass after the tents were set up.

Upon inquiry by Councilmember Winder regarding what it would mean if the request was not granted, Ms. Kaio explained the event was scheduled during the Pioneer Day holiday because many people came to the event from out of town and from Western Samoa and those people might be “lost” if the festival was only three days. She stated similar festivals in other states were one week long and, for that reason, vendors would also be “lost.”

Councilmember Winder stated there was another Samoan event scheduled for a park in Magna during the same time period. Ms. Kaio mentioned a letter the City Council received regarding the other event and she discussed the background regarding that group, including reasons why they were holding their own event. She stated her group had suggested both groups come together as one, but the other group did not desire to do so. Okesene Ale, Executive Director of the Samoan Heritage Board, stated this was a serious issue; however, his group was a lawful entity and registered as a non-profit group. He advised they did not represent the Samoan government, but hoped their festival would be successful in its 10<sup>th</sup> year. Mr. Ale thanked the City Council and City staff for their assistance with the Samoan festival.

Mayor Nordfelt advised the Council could not take official action during this Study Meeting, but could give direction to staff. Upon further discussion, each member of the City Council expressed comments, concerns and opinions regarding the request and current policy. Acting City Manager, Paul Isaac, discussed concerns expressed by the Police and Fire Departments regarding incidences occurring at large events, including at the Samoan Festival. The Police Chief and Fire Chief discussed and informed the Council regarding impacts on their respective departments, including staff and resources, regarding these types of events.

Mayor Nordfelt stated this event remained a valuable celebration in the community, but City parks were also valuable and care should be taken about over using them. He suggested the Samoan board and City staff try to accommodate the request this year and members of the City Council should visit

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the park during the week of that festival to observe the park in preparation for a decision regarding regulations for use of City parks in the year 2009. He stated this would be a risk this year and would also be with the understanding that it would cost more money.

Councilmember Coleman stated City staff had previously expressed strong observations from past events and he further discussed concerns regarding impacts on the park.

Mayor Nordfelt recommended the City Manager respond to the request and facilitate the festival, keeping in mind the concerns expressed by the City Council and also with an attempt to minimize impacts on the community.

Parks and Recreation Director, Kevin Astill, stated the issue was larger than the event itself as there were also costs associated with other City departments. He advised other important work did not get done during the event period as staff became spread too thin. The Parks and Recreation Director recommended the City stay with the current policy. Mr. Astill advised the events were good and as they expanded the City had attempted to accommodate them, but he questioned where it would stop.

Acting City Manager, Paul Isaac, stated the dilemma was subsidizing the events and making decisions based on the overall good of the entire community. Mr. Isaac advised it did affect the City financially in paying overtime, and other costs previously discussed. The Acting City Manager expressed agreement with the statements made by the Parks and Recreation Director and suggested it remained worthwhile to have a good policy in place but perhaps consider requests on a case-by-case basis to determine benefits or detriments to the City and its residents. Mr. Isaac indicated the needs of the Samoan festival were different than other organizations and events and sometimes flexibility should be considered if recognized it would cost more to cover the City's expenses.

Mayor Nordfelt clarified his recommendation that City staff and the Samoan Heritage Board members meet to determine a win-win situation and come to an understanding and agreement for the current year. He stated if it worked that would be great, if not, then the Council could reconsider next year.

Acting City Manager, Paul Isaac, summarized that the City Council had directed the management decision back to staff regarding this matter.

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## **MINUTES OF COUNCIL STUDY MEETING – FEBRUARY 19, 2008**

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### **12. COUNCIL UPDATE**

Acting City Manager, Paul Isaac, stated the City Council had previously received a Memorandum outlining upcoming meetings and events as follows: February 26, 2008: Joint City Council/Planning Commission Meeting, 3:00 P.M., Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; February 28, 2008: ChamberWest General Membership Meeting, Stonebridge Golf Course, 11:45 A.M.; March 4, 2008: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; March 7-13, 2008: NLC Conference, Washington, D.C.; March 11, 2008: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; March 18, 2008: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; March 25, 2008: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; March 27, 2008: ChamberWest Awards Dinner and Scholarship Auction, UCCC, Social Hour at 6:30 P.M. and Dinner at 7:00 P.M.; April 1, 2008: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; April 8, 2008: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; April 9-11, 2008: ULCT Mid-year Conference, St. George; April 15, 2008: Council Study Meeting, 4:30 P.M.; Regular Council Meeting, 6:30 P.M.; April 22, 2008: Council Study Meeting, 4:30 P.M.; Regular Council Meeting, 6:30 P.M.; and May 19, 2008: Annual Police Awards Banquet, 12 Noon, UCCC.

### **13. COUNCIL REPORTS**

- A. **COUNCILMEMBER MIKE WINDER – KELLY BENSON APARTMENTS**  
Councilmember Winder read an e-mail regarding the Kelly Benson Apartments and stated residents desired a City representative to attend a meeting this week. Upon inquiry and in response, City Attorney, Richard Catten, advised a member of the City Council could attend the meeting, if desired, but should not make any commitments from the City as the project had already gone through the lawful process and received approval.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY CITY COUNCIL, THE STUDY MEETING OF TUESDAY, FEBRUARY 19, 2008, WAS ADJOURNED AT 6:28 P.M., BY MAYOR NORDFELT.

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## **MINUTES OF COUNCIL STUDY MEETING – FEBRUARY 19, 2008**

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I hereby certify the foregoing to be a true, accurate and complete record of the proceedings of the Study Meeting of the West Valley City Council held February 19, 2008.

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Sheri McKendrick, MMC  
City Recorder

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